

KQBN *oticias*  
TV-14

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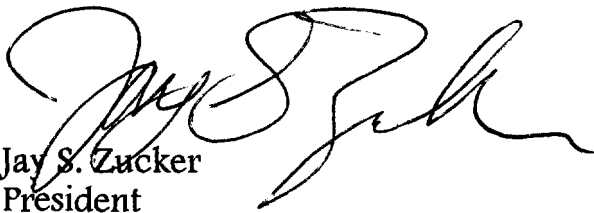
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Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Dear Secretary:

Enclosed within are comments for Advance Television Systems and Their  
Impact upon the Existing Television Broadcast Service.

Respectfully submitted,

  
Jay S. Zucker  
President

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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

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In the Matter of )  
 )  
Advance Television Systems )  
and Their Impact upon the ) MM Docket No. 87-268  
Existing Television Broadcast )  
Service )

**Comments for the  
Sixth Further Notice Of Proposed Rule Making**

Adopted: July 25, 1996

; Released August 14, 1996

**Comment Date:** November 22, 1996

**Reply Comment Date:** November 21, 1996

Comments By: **Hispanic Broadcasters of Tucson, Inc.**

**Background:**

Hispanic Broadcasters of Tucson is a locally owned and operated LPTV licensed to service Tucson, Arizona on UHF TV-14. Since 1989, we have provided our Nation's 20th largest Hispanic Community, full-time Spanish Language programming.

Burdened by several limitations as a LPTV (limited cable carriage and low power), KQBN-LP successfully services our Hispanic households and provides Tucson over with over (15) community sponsored events annually. KQBN is the second local Hispanic television service in our market with (28) employees, locally producing news briefs, sporting and cultural events.

KQBN-LP support the FCC's proposed table of DTV released on August 14, 1996. Unfortunately, the Region 3 Broadcasters Caucus does not recognize LPTV and has proposed displacement of our station.

The Caucus' proposed ATV Plan of October 9, 1996 "Other Available Channel List" for Region 3 displaces our station with one of two University of Arizona PBS Affiliates to ATV Channel 14.

The Federal Communications Commission Sixth Further Notice of Proposed Rule Making has numerous undefined areas in relation to LPTV. If the Commission's goal is to provide free-diversified programming; it should also be the commission's goal to protect LPTV. Our Nation hosts approximately (110) Hispanic television stations; 55% are LPTV.

\*Strategy Research Corporation, Spring 1996 (9am - Mid / Mon - Sun)

Regarding Paragraph #26:

We support the prospect of utilizing channels 60-69 as a permanent position for LPTV for both NTSC and DTV. However, we believe consideration for spectrum auction of such channels prior to the completion of the transitional period for DTV may limit unforeseen needs for the spectrum by broadcasters.

As a UHF TV-14 licensee, we request the Commission to clarify that the compensation for relocating DTV channels in the core spectrum includes all full-power and low-power. Just as the Commission has adopted different levels of protected FM radio licenses; we believe LP to be comparable to a Class "A" (not an FM translator) and full-power to that of Class "C". Adoption of "minimum local origination requirements" should classify stations to their protective status. This will reward broadcasters providing local public service and offer incentives to further enhance existing free-TV services.

Regarding Paragraph #67:

We support the concept that will allow LPTV stations displaced to apply for replacement channels without the potential of being challenged by competing applications.

Regarding Paragraph #68:

We support the concept allowing LPTV stations to operate on channels outside the "core DTV spectrum". In addition, if a station is displaced, that the new user compensates cost to move the station to another channel and loss of investment or business revenue.

Regarding Paragraph #69:

We support the concept of utilizing a full-service digital stations, alternate channels for displaced LPTV. We suggest any station that offers such use be allowed to benefit from the LP's public service efforts. As an example, if the Fox Affiliate carried an LP that aired extensive "Children's Programming", such programming will be credit to the full-service station; or, a LP that is minority programmed, the full-service station should receive Commission values upon license renewal as consideration for carriage.

We further support the prospect of Commission incentives to encourage cable carriage of LPTV; such as relaxing rate structure and other requirements.

Regarding Paragraph #70:

We support setting aside a few frequencies between channels 52 and 59 for displace LPTV or as LPTV DTV.

Regarding Paragraph #71:

We support relaxing the interference rules as an effort to relocate any displaced stations. In addition, we recommend allowing stations an opportunity to show no interference exist, by authorizing STA's (special temporary authority); many times what adopted theory states is not always applicable in the field.

Hispanic Broadcasters of Tucson appreciates the opportunity to file these comments.

Respectfully submitted,



Jay S. Zucker  
President